

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) 1:05-cv-00594-LJO-SMS
)
Plaintiff,) ORDER STRIKING DEFENDANT'S
v.) OBJECTIONS (DOCS. 120, 121)
)
STEVEN HEMPFLING, d/b/a/ FREE)
ENTERPRISE SOCIETY,)
)
Defendant.)
)
)

Plaintiff is proceeding with a civil action in this Court. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) and Local Rules 72-302(c)(1) and 72-303. Pending before the Court are objections filed by Defendant Steven Hempfling on February 11, 2008.

On January 30, 2008, the Court granted Plaintiff's motion to compel responses to interrogatories and requests for production. On February 11, 2008, Defendant purported to file objections to the Magistrate Judge's order granting Plaintiff's motion. (Docs. 120, 121.) However, the Magistrate Judge did not file findings and recommendations with respect to Plaintiff's discovery motion; rather, the Court ruled outright on the motion. Pursuant to the pertinent Local Rules for the United States District Court,

1 Eastern District of California, objections to a Magistrate
2 Judge's findings and recommendations are permitted; however,
3 there is no provision for objections to be filed to the
4 dispositive order of a Magistrate Judge, and a Magistrate Judge's
5 order is final absent a request for reconsideration. Local Rules
6 72-304, 72-303.

7 Fed. R. Civ. P. 12(f) provides as follows:

8 Upon motion made by a party before responding to
9 a pleading or, if no responsive pleading is permitted
10 by these rules, upon motion made by a party within 20
11 days after the service of the pleading upon the party
12 or upon the court's own initiative at any time, the
13 court may order stricken from any pleading any
14 insufficient defense or any redundant, immaterial,
15 impertinent, or scandalous matter.

16 A court may strike a document that does not conform to the formal
17 requirements of the pertinent rules of court. Transamerican Corp.
18 v. National Union Fire Ins. Co. of Pittsburgh, Pa., 143 F.R.D.
19 189, 191 (N.D. Ill. 1992).

20 Accordingly, it IS ORDERED that Defendant's objections,
21 filed on February 11, 2008, BE STRICKEN from the record.

22 IT IS SO ORDERED.

23 Dated: February 12, 2008

24 /s/ Sandra M. Snyder
25 UNITED STATES MAGISTRATE JUDGE
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